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IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	1:97-cr-5251 OWW
	)	
Plaintiff,	)	MOTION AND ORDER FOR
	)	DISMISSAL OF INDICTMENT
v.	)	
	)	
GABRIEL VIRELAS-ALVAREZ,	)	
	)	
Defendant.	)	
_____	)	

The government, pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, hereby moves to dismiss the Indictment against Gabriel Virelas-Alvarez, the above named defendant only, in the interest of justice. The defendant has been a fugitive for ten years. The investigating agency has requested that the case be dismissed and the warrant recalled, so that they can close their case.

DATED: August 30, 2007

Respectfully submitted,

McGREGOR W. SCOTT  
United States Attorney

By /s/Dawrence W. Rice, Jr.  
DAWRENCE W. RICE  
Assistant U.S. Attorney

IT IS HEREBY ORDERED that the Indictment against the above named defendant is hereby dismissed and the warrant recalled.

IT IS SO ORDERED.

**Dated:** August 30, 2007

/s/ Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE